

SAN BERNARDINO COUNTY INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

This form and the descriptive information in the application package constitute the contents of Initial Study pursuant to County Guidelines under Ordinance 3040 and Section 15063 of the State CEQA Guidelines.

PROJECT LABEL:

APN:	0629-051-62-0000
APPLICANT:	DYNAMIC DEVELOPMENT COMPANY, LLC
COMMUNITY:	FLAMINGO HEIGHTS (HOMESTEAD VALLEY) / 3 RD SUPERVISORIAL DISTRICT
LOCATION:	NORTHWEST CORNER OF OLD WOMAN SPRINGS ROAD AND CEDARBIRD ROAD
PROJECT No:	P201300087/MUP
STAFF:	TRACY CREASON
REP(S):	SAME AS APPLICANT
PROPOSAL:	MINOR USE PERMIT TO ESTABLISH A 9,100- SQ.FT. GENERAL RETAIL BUILDING ON 2.5 ACRES

USGS Quad: YUCCA VALLEY NORTH
T, R, Section: T2N R5E Section 27 NE ¼

OLUD: HV/SD-COM

Planning Area: Homestead Valley Community Plan
Overlays: FS-2, Geologic Hazard, Scenic

PROJECT CONTACT INFORMATION:

Lead agency: County of San Bernardino
Land Use Services Department – Planning Division
15900 Smoke Tree Street
Hesperia, CA 92345

Contact person: Tracy Creason, Senior Planner
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Fax No: 760.995.8167

Project Sponsor: Dynamic Development Company, LLC
1725 21st Street
Santa Monica, CA 90404
Phone No: 310.315.5411 X120
E-mail: TSaivar@DynamicDevCo.com

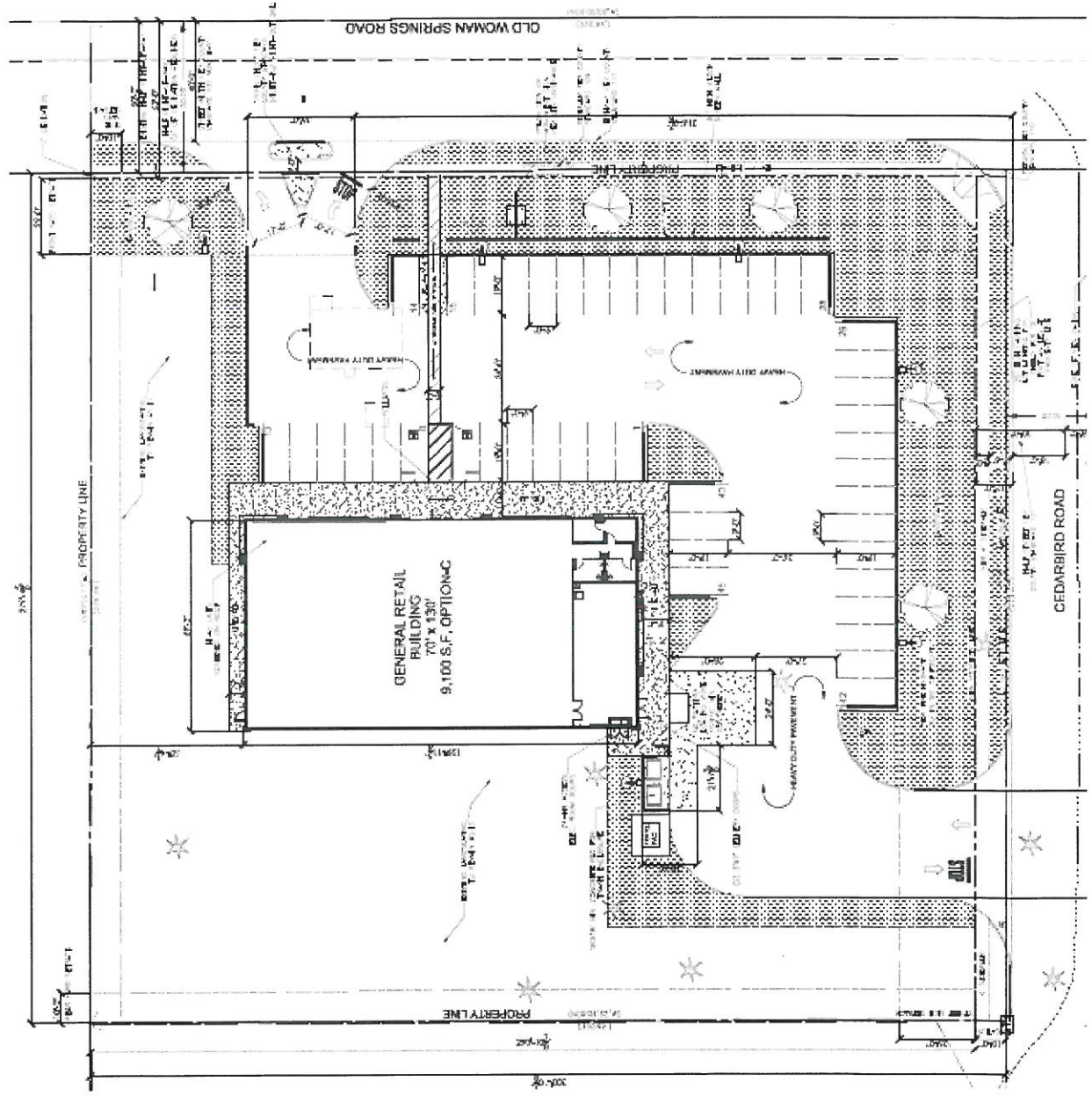
Fax No: 310.315.5422

PROJECT DESCRIPTION:

The proposed Project is Minor Use Permit to establish a 9,100-square foot general retail building on 2.5 acres with related site improvements such as parking and landscaping. The site is located within the unincorporated community of Flamingo Heights, within the Homestead Valley Community Plan, and zoned Homestead Valley Community Plan, Special Development – Commercial Focus (HV/SD-Com). The Project site is located on the northwest corner of State Route 247 and Cedarbird Road. Access to the site will come from both roads. Properties adjacent to the site in all directions are zoned HV/SD-Com. The site is regulated by the FS-2 Fire Safety Overlay, the Alquist-Priolo Geologic Hazard Overlay, and the Scenic Overlay.

ENVIRONMENTAL/EXISTING SITE CONDITIONS:

According to the General Biological Resources Assessment prepared by AMEC Environment & Infrastructure, Inc., the vacant Project site contains vegetation that "is an intergrade of Creosote Bush Scrub and Joshua Tree Woodland, dominated by Creosote Bush, White Bursage, Joshua Tree, and Cheesebush. The habitat shows signs of anthropogenic disturbance, such as mechanical disturbance of soil, vegetation removal, off road vehicle tracks, and trash." The Assessment states that the site is flat at an elevation of approximately 3,450 feet. The site is located within an area with the potential to support Desert Tortoise and burrowing owl.



AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT / OVERLAYS
Site	Vacant Land	HV/SD-Com / AP, FS-2, Biological Resources, Scenic
North	Single-family residence	HV/SD-Com / AP, FS-2, Biological Resources, Scenic
South	Single-family residence	HV/SD-Com / AP, FS-2, Biological Resources, Scenic
East	Single-family residence	HV/SD-Com / AP, FS-2, Biological Resources, Scenic
West	Vacant	HV/SD-Com / AP, FS-2, Biological Resources

Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement.):

Federal: US Fish and Wildlife Service

State of California: Regional Water Quality Control Board – Colorado River Basin Region; California Department of Fish and Wildlife; California Department of Transportation; Mojave Desert Air Quality Management District

County of San Bernardino: Land Use Services – Building and Safety, Code Enforcement, Land Development – Road & Drainage; Public Health – Environmental Health Services; Public Works – Surveyor, Traffic; County Fire

Local: Bighorn-Desert View Water Agency

EVALUATION FORMAT:

This initial study is prepared in compliance with the California Environmental Quality Act (CEQA) Guidelines. This format of the study is presented as follows. The Project is evaluated based upon its effect on 18 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the Project on each element of the overall factor. The Initial Study Checklist provides a formatted analysis that provides a determination of the effect of the Project on the factor and its elements. The effect of the Project is categorized into one of the following four categories of possible determinations:

Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
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Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

1. Therefore, no impacts are identified or anticipated and no mitigation measures are required.
2. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.
3. Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of Project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List mitigation measures)
4. Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are (Listing the impacts requiring analysis within the EIR).

At the end of the analysis the required mitigation measures are restated and categorized as being either self- monitoring or as requiring a Mitigation Monitoring and Reporting Program.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

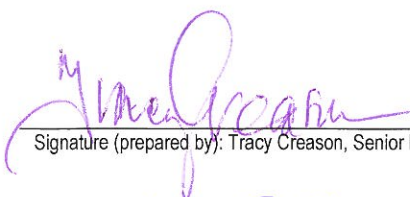
The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population & Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation & Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

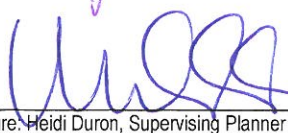
DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the following finding is made:

- ☐ The proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.


Signature (prepared by): Tracy Creason, Senior Planner

31 Oct 2013
Date


Signature: Heidi Duron, Supervising Planner

10/31/2013
Date

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
I. AESTHETICS - Would the project				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION (Check ☒ if project is located within the view-shed of any Scenic Route listed in the General Plan): State Route 247

The Project site is located in a Scenic Resources/Scenic Route (SR-247) Overlay. The Scenic Overlay Area includes unique views within the County's desert, mountain, and valley areas, as well as other aesthetic natural land formations. It covers an area extending 200 feet on both sides of the ultimate road right-of-way of State and County designated Scenic Highways as identified within the General Plan.

Possible scenic features in the vicinity of the Project site are the Bighorn Mountains, the Bullion Mountains, the Copper Mountains, and the Joshua Tree National Park. These are located between 10 and 30 miles from the Project.

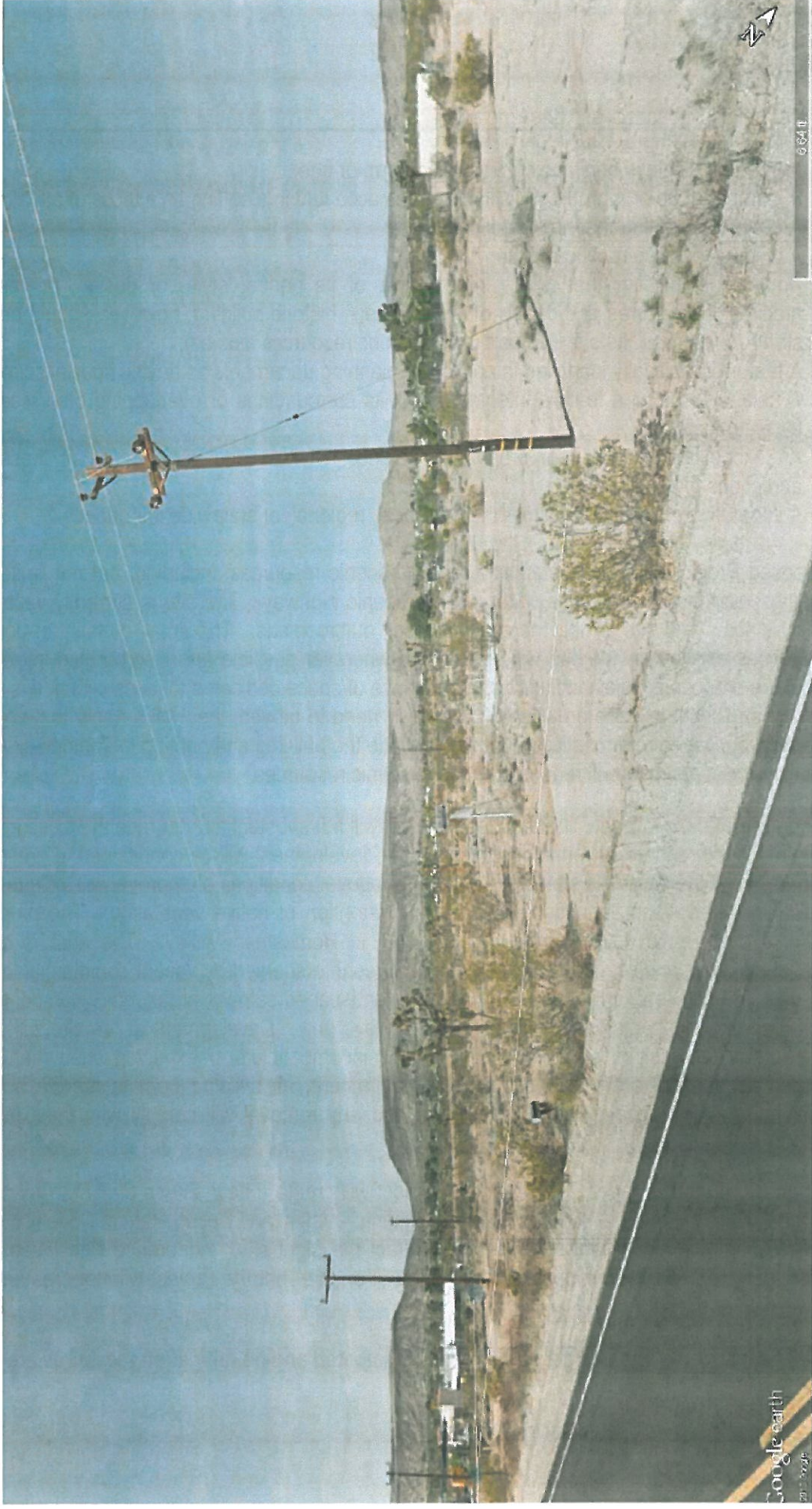
- I a) **Less Than Significant Impact.** The proposed Project is located adjacent to and within the view-shed of State Route 247, a designated Scenic Corridor. Simulations of proposed views for the purposes of evaluating the impacts of the building's mass and scale in terms of impacting views of scenic vistas are attached. The simulations are not meant to be representative of the architectural treatment and elements that will be proposed for the building. The Project site is 2.5 acres with dimensions of approximately 280 feet by 330 feet. The proposed building is 9,100 square feet with dimensions of approximately 130 feet by 70 feet, which occupies approximately 10 percent of the site. The maximum building height is 22 feet. Given the small mass and scale of the building, views of scenic vistas will not be substantially blocked or degraded. Based on this, impacts to scenic vistas will be less than significant. To ensure that the proposed development is an aesthetic enhancement to the area, the conditions of approval include the requirement that the applicant submit exterior architectural elevations of the proposed development for review and approval by the Planning Division prior to issuance of building permits. Landscaping in compliance with the State Water Model Ordinance and the County Development Code (Code) is also a requirement in the conditions of approval.
- I b) **Less Than Significant Impact.** Within *Chapter 27: Visual & Aesthetic Review*, the Caltrans Standard Environmental Reference states that "[w]hile there is no comprehensive list of specific features that automatically qualify as scenic resources, certain characteristics can be identified which contribute to the determination of a scenic resource. Following is a partial list of visual qualities and conditions which, if present, may indicate the presence of a scenic resource:

- A tree that displays outstanding features of form or age;
- A landmark tree or a group of distinctive trees accented in a setting as a focus of attention;
- An unusual planting that has historical value;
- A unique, massive rock formation;
- An historic building that is a rare example of its period, style, or design, or which has special architectural features and details of importance (A historic building, however, should be evaluated by a staff Architectural Historian as part of the historic resources studies);
- A feature specifically identified in applicable planning documents as having special scenic value;
- A unique focus or a feature integrated with its surroundings or overlapping other scenic elements to form a panorama;
- An exceptional example of proportion, balance, rhythm, and variety - all of these are amenable attractions of a visual scene.
- A vegetative or structural feature that has local, regional, or statewide importance."

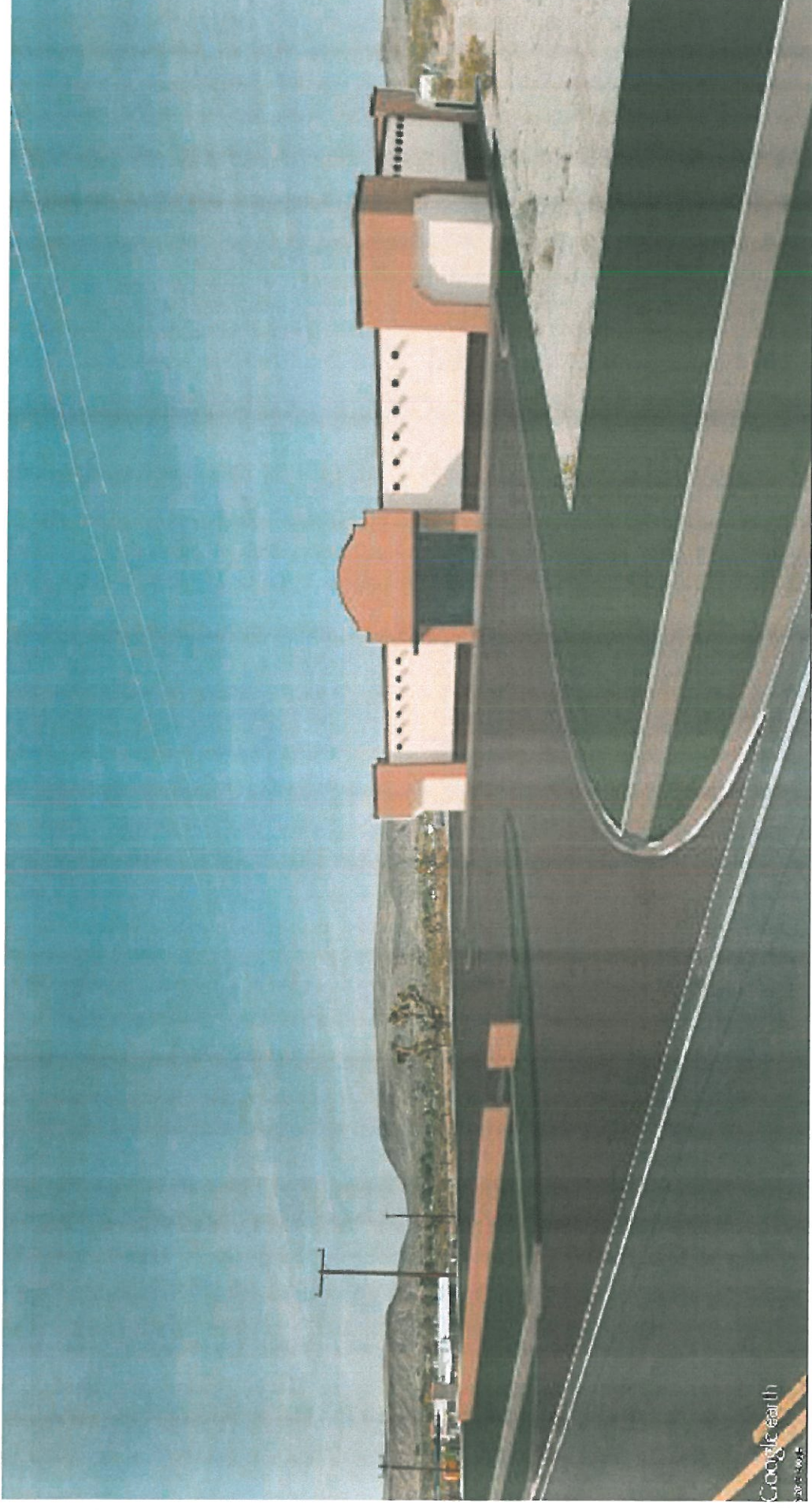
The proposed Project will not substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway. The site is currently vacant; there are no historic buildings. The site is flat; there are no rock outcroppings. The small quantity of Joshua Trees and Mojave Yuccas existing on the site will be retained wherever possible and incorporated into the landscaping. Given that the proposed Project includes an abundance of space dedicated to landscaping, it is anticipated that, in the event any Joshua Trees or Mojave Yuccas will need to be moved, they will be able to be relocated on-site. The Project proposes to retain native vegetation outside the building and parking lot footprints. Compliance with these conditions of approval will reduce damage to scenic resources.

- I c) **Less Than Significant Impact.** The proposed Project will not substantially degrade the existing visual character or quality of the site and its surroundings because the development will be conditioned to preserve the existing visual character of the area. As stated in I a) and I b) above, conditions of approval will include the requirement for architectural elevations, landscaping plans, and retention of native vegetation. The proposed Project is located in a commercial district along Highway 247 in Homestead Valley. The area is characterized by commercial buildings and scattered residential structures interspersed by vacant commercial lots. Many of the existing uses are adjacent to Highway 247, have no landscaped setback areas, have non-conforming signage, and lack road improvements to limit access to driveways only. Development of the site will introduce a new structure but will not result in the site becoming visually incompatible or unexpected when seen in the context of the existing commercial area. As a standard requirement, all building permits require a pre-construction inspection to verify the location of Joshua Trees and any removal will comply with the County's ordinance regarding tree protection.
- I d) **Less Than Significant Impact.** The proposed Project will create a new source of light. Any proposed on site lighting must comply with the Glare and Outdoor Lighting – Valley and Desert Region Code requirements, which include shielding to prevent light trespass and protect the night sky. Adherence with these requirements is mandatory per the County Development Code and will ensure that the Project will not create a new source of substantial light or glare.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

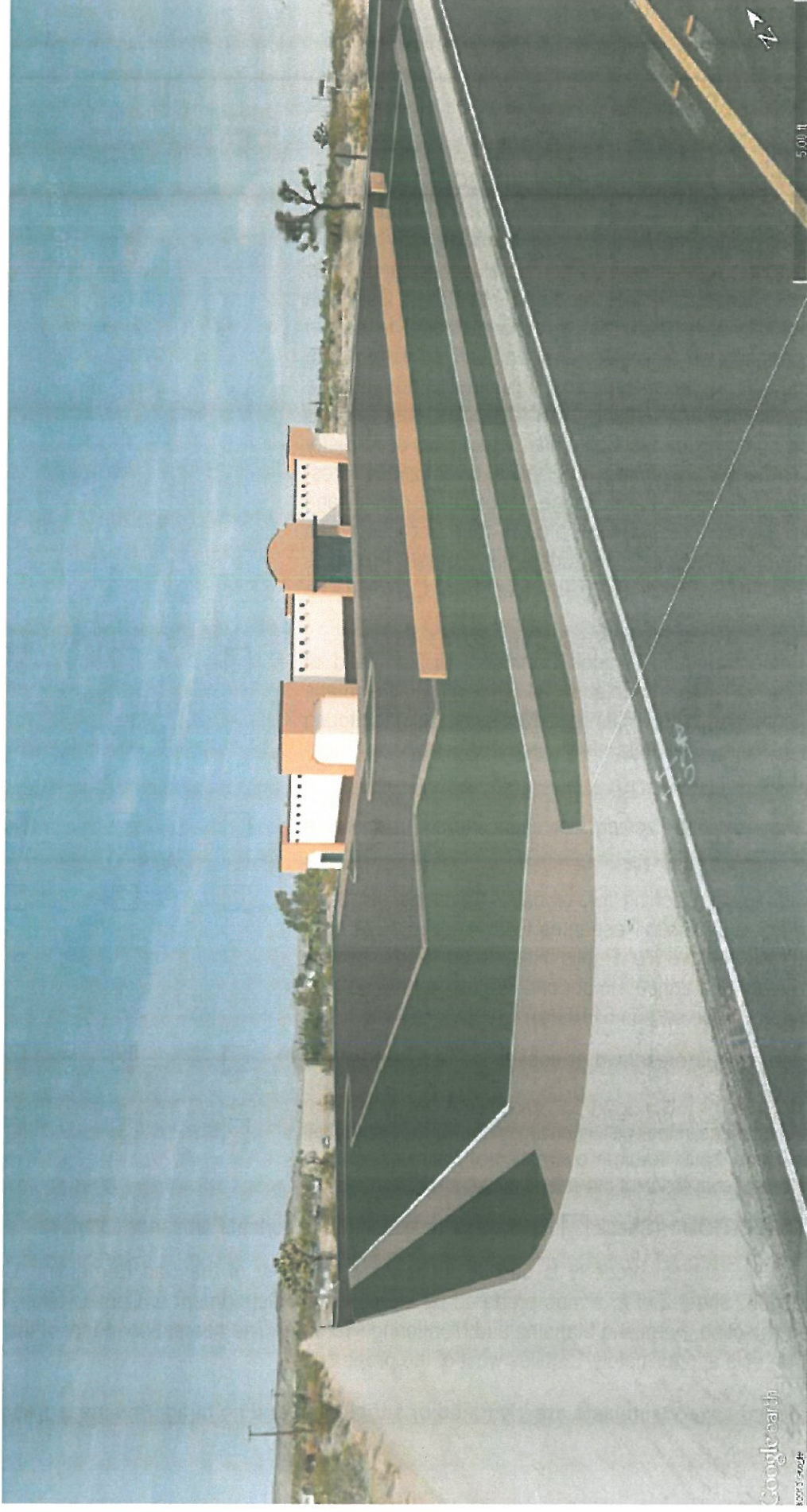


EXISTING SOUTHWEST VIEW





EXISTING NORTHWEST VIEW



PROPOSED NORTHWEST VIEW

Potentially
Significant Impact

Less than
Significant with
Mitigation
Incorporated

Less than
Significant Impact

No
Impact

II. AGRICULTURE AND FORESTRY RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resource Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest land? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION (Check ☐ if project is located in the Important Farmlands Overlay):

- II a-e) **No Impact.** The subject property is outside the survey boundary of the San Bernardino County Important Farmland 2008, Sheet 2 of 2, a map prepared by the California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program. The nearest boundary of the San Bernardino National Forest is approximately 12 miles west of the property.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION (Discuss conformity with the Mojave Desert Air Quality Management Plan, if applicable):

- III a) **Less Than Significant Impact.** The South Desert portion of the County of San Bernardino is part of the Mojave Desert Air Basin (MDAB) and the Mojave Desert Air Quality Management District (MDAQMD). Under the Federal Clean Air Act, the MDAQMD has adopted a variety of attainment plans for a variety of non-attainment pollutants. The Air Quality Management Plan (AQMP) for the MDAB sets forth a comprehensive program that will lead the MDAB into compliance with all federal and state air quality standards. The AQMP control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or population projections. The proposed Project is consistent with the underlying General Plan designation on the property.

This Project will incrementally contribute to the amount of greenhouse gases in the environment. However, under CEQA, an individual project's GHG emissions will generally not result in direct significant impacts. This is because the climate change issue is global in nature. Given the small-scale of the proposed Project and that the proposed Project's air pollutant emissions during all phases of the Project will not exceed construction or operational emission thresholds, when compared to the overall environment, the proposed Project's direct and cumulative GHG emissions are found to be less than significant. For more information, see section VII.

But when compared to the overall environment, this Project's contribution to global warming will be insignificant. It is a policy of the County of San Bernardino to encourage efficient use of energy resources and the use of alternate energy sources. The Air Quality Plan used the underlying zoning as the baseline. The Mojave Desert

Air Quality Management District received the Project notice and responded that they had no comments or concerns about the proposal.

Project generated emissions were modeled based on Project specific information and default information contained in the California Emissions Estimator Model (CalEEMod) for a similar currently proposed 9,100 square foot retail store in Joshua Tree. The Project's air pollutant emissions during all phases of the Project will not exceed construction or operational emission thresholds. The Project will not contribute to the degradation of local or regional air quality. The site will be paved, dust proofed, and landscaped to Code standards, resulting in little or no wind-blown dust or particulate matter. Paving the Cedarbird Road where it is adjacent to the property will be part of the Project. Additional paving on State Route 247 to match the existing paving will also be required.

According to the updated September 11, 2013 technical memorandum prepared by Kunzman Associates, Inc., the Project is projected to generate 583 daily vehicle trips, 35 during the morning peak hour and 62 during the evening peak hour. The intersection of State Highway 247 and Cedarbird Road is projected to operate at Level of Service B in the opening year, 2015.

MDAQMD Significant Emission Thresholds

Criteria Pollutant	Daily Threshold (pounds)
Carbon Monoxide (CO)	548
Oxides of Nitrogen (NOx)	137
Volatile Organic Compounds (VOC)	137
Oxides of Sulphur (SOx)	137
Particulate Matter (PM10)	82
Particulate Matter (PM2.5)	82
Source: Mojave Desert Air Quality Management District	

Project Construction Emissions (Unmitigated)

Pollutant	Maximum Unmitigated (lbs/day)	Mojave Desert Air Quality Management District Threshold	Exceeds Threshold?
CO	30.08	548	NO
NOx	42.13	137	NO
VOC	26.14	137	NO
PM ₁₀	7.19	82	NO
PM _{2.5}	4.50	82	NO
SOx	0.05	137	NO

Source: August 2012 Environmental Initial Study prepared by San Bernardino County Land Use Services for proposed Dynamic Development Joshua Tree retail store, P201100357

Project Operational Emissions (Unmitigated)

Pollutant	Maximum Unmitigated (lbs/day)	Mojave Desert Air Quality Management District Threshold	Exceeds Threshold?
CO	42.10	548	NO
NOx	24.57	137	NO
VOC	4.95	137	NO
PM ₁₀	4.16	82	NO
PM _{2.5}	0.94	82	NO
SOx	0.05	137	NO

Source: August 2012 Environmental Initial Study prepared by San Bernardino County Land Use Services for proposed Dynamic Development Joshua Tree retail store, P201100357

- III b) **Less Than Significant Impact.** The Project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation, because as shown on the tables above, the proposed use does not exceed thresholds of concern. The site will be paved and landscaped resulting in little or no wind-blown dust or particulate matter. Additional paving on State Route 247 and Cedarbird Road will be required, and will thus

reduce potential for wind-blown dust and particulate matter. Even though the Project does not exceed the MDAQMD thresholds, the Project proponent must comply with all applicable rules and regulations of the MDAB to assist in achieving attainment for ozone and suspended particulates.

- III c) **Less Than Significant Impact.** The Project will not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors), because the proposed use does not exceed established thresholds of concern. In order to be considered significant, a Project's air pollutant emissions must exceed the emission thresholds established by the MDAQMD and be inconsistent with growth projections. As shown in the tables above, the Project will not exceed any established thresholds. The current zoning, HV/SD-Com (Homestead Valley Special Development, Commercial focus), will remain unchanged. The Project is consistent with the growth projections contained in the County General Plan and the Homestead Valley Community Plan.
- III d) **Less Than Significant Impact.** The Project will not expose sensitive receptors to substantial pollutant concentrations. These sensitive receptors include residences, schools, daycare centers, playgrounds, and medical facilities. The following project types within the specified distance must not expose sensitive receptors to substantial pollutant concentrations. They include:
- Any industrial project within 1000 feet
 - A distribution center (40 or more trucks per day) within 1000 feet
 - A major transportation project (50,000 or more vehicles per day) within 1000 feet
 - A dry cleaner using perchloroethylene within 500 feet
 - A gasoline dispensing facility within 300 feet

The Project will not expose sensitive receptors to substantial pollutant concentrations, because there are no identified concentrations of substantial pollutants associated with this Project. The site is located approximately 2.3 miles southwest of Landers Elementary School and approximately 4.2 miles northwest of Yucca Mesa Elementary School.

- III e) **Less Than Significant Impact.** According to the CEQA Air Quality Handbook, land uses associated with odor complaints include agricultural operations, wastewater treatment plants, landfills, and certain industrial operations (such as manufacturing uses that produce chemicals, paper, etc.). The Project is a 9,100 square foot retail store within an enclosed building, which will not produce objectionable odors affecting a substantial number of people.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES - Would the project:				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc...) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION (Check if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database ☒): Desert Tortoise, Burrowing Owl

AMEC Environment & Infrastructure, Inc. conducted a *General Biological Resources Assessment* for the property in February 2013. Although no special status species were observed, the site contains Joshua Trees and Mojave Yuccas, which are protected by County ordinance. The Assessment recommends in situ preservation and/or on-site transplantation of these plants. Additionally, the site contains habitat for several special status species. The Assessment recommends focused Burrowing Owl and Desert Tortoise surveys. Furthermore, the Assessment recommends pre-construction nesting bird surveys if construction activities occur during nesting bird season.

- IV a) **Less Than Significant Impact with Mitigation Incorporated.** The site is located within a designated Desert Tortoise habitat area. The General Biological Resources Assessment found no tortoise or tortoise sign on the site during the field visit for the assessment. The likelihood of Desert Tortoise to occur on site is low due to the fragmented nature of the habitat in the Project area and the existence of State Route 247 immediately east of the

site. The General Assessment recommends a focused Desert Tortoise survey and a Burrowing Owl survey prior to land disturbance. These mitigation measures will be incorporated into the Project conditions of approval prior to any land disturbance. Adherence with any recommended mitigation measures within the pre-construction surveys is required.

- IV b) **Less Than Significant Impact.** This Project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service. No riparian habitat or protected wetlands exist on or near the site.
- IV c) **Less Than Significant Impact.** This Project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means, because the Project is not within an identified protected wetland. No riparian habitat or protected wetlands exist on or near the site.
- IV d) **Less Than Significant Impact.** This Project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites, because there are no such corridors or nursery sites within or near the Project site. The property is adjacent to State Route 247, is nearby other commercial development, and surrounded by rural residential development on three sides.
- IV e) **Less Than Significant Impact.** There are locally protected Joshua Trees and Mojave Yuccas on the site. Prior to issuance of any building permits County Building and Safety will conduct a pre-construction inspection to verify the location of any proposed construction. This is a mandatory requirement and is not considered a mitigation measure.
- IV f) **No Impact.** This Project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, because no such plan has been adopted in the area of the Project site. The site is within the proposed boundary of the West Mojave Plan, which covers 9.3 million acres in the western portion of the Mojave Desert. Only the BLM amendment of the California Desert Conservation Area of the West Mojave Plan has been approved. The state and local government actions proposed by this interagency habitat conservation plan remain under review.

Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of Project approval to reduce these impacts to a level below significant. The required mitigation measures are:

BIO-1: Prior to land disturbance, the applicant shall hire a qualified professional to conduct a pre-land disturbance and/or pre-construction focused Desert Tortoise survey and a focused Burrowing Owl survey. These surveys shall be submitted to County Land Use Services, Planning Division, California Department of Fish and Wildlife, and US Fish and Wildlife Service for review and approval. Adherence with any recommended mitigation measures is required.

BIO-2: In compliance with the Migratory Bird Treaty Act, if construction activities occur during nesting bird season, the applicant shall hire a qualified professional to conduct pre-construction nesting bird surveys. This survey shall be submitted to County Land Use Services, Planning Division for review and approval.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
V. CULTURAL RESOURCES - Would the project				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION (Check if the project is located in the Cultural ☐ or Paleontologic ☐ Resources overlays or cite results of cultural resource review):

- V a) **Less Than Significant Impact.** This Project will not cause a substantial adverse change in the significance of a historical resource because the Project site is not located on or near any known historical resource, as defined in §15064.5.
- V b) **Less Than Significant Impact.** This Project will not cause a substantial adverse change to an archaeological resource because no resources have been identified on the site. To further reduce the potential for impacts, a condition shall be added to the Project that requires the developer to contact the San Bernardino County Museum for determination of appropriate measures, if any finds are made during Project construction.
- V c) **Less Than Significant Impact.** This Project will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, because no resources have been identified on the site. To further reduce the potential for impacts, a condition shall be added to the Project that requires the developer to contact the County Museum for determination of appropriate mitigation measures, if any finds are made during Project construction.
- V d) **Less Than Significant Impact.** This Project will not disturb any human remains, including those interred outside of formal cemeteries, because no such burial grounds are identified on this Project site. If any human remains are discovered during construction of this Project, the developer is required to contact the County Coroner, County Museum for determination of appropriate measures, and a Native America representative, if remains are determined to be of Native American origin.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
VI. GEOLOGY AND SOILS - Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the California Building Code (2001) creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION (Check ☒ if project is located in the Geologic Hazards Overlay District):

Salem Engineering Group, Inc. prepared a *Fault Hazard Investigation* for the proposed Project on February 27, 2012. Wessly A. Reeder, County Geologist, reviewed the *Fault Hazard Investigation* and provided his input in correspondence dated March 14, 2012.

- VI ai-iv) **Less Than Significant Impact.** The Project site lies within the western margin of an Alquist-Priolo Earthquake Fault Zone designated by the State of California. The *Fault Hazard Investigation* indicated that no evidence of onsite faulting was found. The County Geologist determined that the February 27, 2012 report met the County minimum requirements and approved the report in his March 14, 2012 letter. The Project shall be reviewed and approved by County Building and Safety with appropriate seismic standards implemented in the construction of the Project to insure that structures can endure a seismic event. If grading exceeds 5,000 cubic yards, as part of the conditions of approval a geology report must be submitted and reviewed by the County Building and Safety Geologist.

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- VI b) **Less Than Significant Impact.** The development proposal includes landscaping and paving on portions of the site, which will reduce soil erosion and loss of top soil. A large portion of the site will retain native vegetation and remain undisturbed. To control soil erosion during construction, the Project proponent must comply with the National Pollutant Discharge Elimination System permit applicable to the Project area and prepare a Storm Water Pollution Prevention Plan. Additionally, a Water Quality Management Plan is required to address post-construction soil erosion. Preparation and implementation of these reports is a mandatory requirement.
- VI c) **Less Than Significant Impact.** The Project is not identified as being located on a geologic unit or soil that has been identified as being unstable or having the potential to result in on or off site landslide, lateral spreading, subsidence, liquefaction, or collapse. According to the *Geotechnical Engineering Services* report, the Project is not located in an area that is susceptible to liquefaction or subsidence. Adherence with the standards and requirements in the Building Code for design of the proposed structure will ensure that any impacts are less than significant. Compliance with the Building Code is mandatory.
- VI d) **Less Than Significant Impact.** The Project site is not located on expansive soil, as defined in Table 18-1-B of the California Building Code (2001) creating substantial risks to life or property.
- VI e) **Less Than Significant Impact.** There is no indication that the Project site will not be supportive of a septic system. The *Geotechnical Engineering Services* report indicated that subsurface soils included medium dense, fine to coarse silty sand, and coarse gravelly silty sand with clay. Regardless of soil type, a percolation report is required prior to the issuance of permits for on-site wastewater treatment systems to verify soil stability.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

VII a,b) **Less Than Significant Impact.** As discussed in Section III of this document, the proposed Project is consistent with the underlying General Plan designation on the property. The Air Quality Plan used the underlying zoning as the baseline to evaluate impacts.

As mentioned in Section III, the proposed development is projected to generate approximately 583 daily vehicle trips, 35 during the morning peak hour and 62 during the evening peak hour. The Level of Service at the intersection of Cedarbird Road and State Highway 247 is projected to operate at LOS B during the peak hours for the opening year, 2015.

On December 6, 2011, the San Bernardino County Board of Supervisors adopted the County Greenhouse Gas (GHG) Emissions Reduction Plan. As part of the GHG Plan, sample project sizes that exceed the 3000 Metric Tons of CO₂ equivalents (MTCO₂e) level were established. The threshold for retail space with no refrigeration is 160,000 square feet and the threshold for a grocery store is 36,000 square feet. The Mojave Desert Air Quality Management District threshold for MTCO₂e is 100,000 tons annually. GHGs and criteria pollutants associated with a 9,100 square foot general retail use will remain below the established threshold. Based on the CalEEMod data for a similar currently proposed 9,100 square foot retail store in Joshua Tree, the Project is estimated to generate 263.45 MTCO₂e (Metric Ton Carbon Dioxide Equivalent).

Greenhouse Gas Emissions (Annual)

Project MTCO ₂ e Emissions/Yr.	San Bernardino County Threshold MTCO ₂ e/Yr.	Mojave Desert Air Quality Management District Threshold MTCO ₂ e/Yr.	Exceeds Threshold?
263.45	3,000	100,000	NO

The Project's GHG emissions are anticipated to remain well below the established GHG emissions thresholds. The Project proponents must comply with the Performance Standards within the *San Bernardino County Greenhouse Gas Emissions Reduction Plan*. Such compliance will be included in the conditions of approval. It is unlikely that this Project would impede the state's ability to meet the reduction targets of AB32.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
a) Create a significant hazard to the public or the Environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION

- VIII a) **Less Than Significant Impact.** The Project does not have the potential to pose a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, because the Project is not considered a 'hazardous waste generator' as defined by the U.S. Environmental Protection Agency. Such a hazardous waste generator would routinely transport, use, or dispose of hazardous materials. Prior to occupancy, the operator must submit a Business Emergency/Contingency Plan to the Hazardous Materials Division of the County Fire Department.

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- VIII b) **Less Than Significant Impact.** The Project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, because any proposed use or construction activity that might use hazardous materials is subject to permit and inspection by the Hazardous Materials Division of the County Fire Department. Typical store maintenance products and household cleaning supplies, which may be sold in the store, are anticipated to be the only potentially hazardous materials used on site.
- VIII c) **Less Than Significant Impact.** The Project uses will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school, because the Project does not propose the use of hazardous materials within ¼ mile of an existing or proposed school. The closest schools are Landers Elementary School and Yucca Mesa Elementary School, which are approximately 2.3 miles northeast and 4.2 miles southeast of the site, respectively.
- VIII d) **Less Than Significant Impact.** Based on the *Cortese List Data Resources* webpage maintained by Cal/EPA, the Project site is not included on the list of hazardous materials sites compiled in accordance with Government Code 65962.5.
- VIII e) **Less Than Significant Impact.** The Yucca Valley Airport, the nearest public airport, is approximately 7.5 miles southeast of the Project site. The site is not within the approach/departure flight path of this public airport.
- VIII f) **Less Than Significant Impact.** The Landers Airport, the nearest private airport, is approximately 3.8 miles northeast of the Project site. The site is not within the vicinity or approach/departure flight path of this private airstrip.
- VIII g) **Less Than Significant Impact.** The Project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, because the Project will not result in any substantial alteration to road design or capacity that would affect evacuation procedures. Additionally, the Project has adequate emergency access via State Highway 247 and intersecting streets.
- VIII h) **Less Than Significant Impact.** The site is located within a Fire Safety 2 Overlay (FS-2) and the Project site will be conditioned to meet all fire safety standards for projects within the FS-2 fire safety review overlay. The San Bernardino County Development Code requires that development within a Fire Review Area be subject to additional construction requirements, building separations, project design requirements, and erosion and sediment control to mitigate the potential impacts.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
IX.	HYDROLOGY AND WATER QUALITY - Would the project:				
a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h)	Place within a 100-year flood hazard area structure that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j)	Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION

Walker Engineering, LLC prepared a *Preliminary Water Quality Management Plan (WQMP)* on February 8, 2013. Walker Engineering, LLC prepared a *Technical Drainage Study for Retail Building @ Old Woman Springs Road (Hwy 247) & Cedarbird Road, APN: 0629-051-62, Landers, CA, MUP No. P201300087* on April 9, 2013.

- IX a) **Less Than Significant Impact.** The Project will not violate any water quality standards or waste discharge requirements because the Project's design incorporates design features to diminish water quality impacts to an acceptable level as required by state and federal regulations. These design features are identified in the PWQMP prepared for the Project. Additionally, the Project must prepare a Storm Water Pollution Prevention Plan (SWPPP) to determine and reduce the Project's potential impacts on water quality caused by storm event runoff during construction. Since the Project construction exceeds disturbance greater than an acre, the Project proponent needs to obtain a General Construction Permit under the National Pollutant Discharge Elimination System (NPDES) permit program of the federal Clean Water Act. The SWPPP requires submittal of a Notice of Intent to the Colorado River Basin Regional Water Quality Control Board prior to construction activities. The objectives of a SWPPP are to identify pollutant sources (i.e., sediment) that may affect storm water discharge quality, and reduce the pollutants using Best Management Practices. The Project site can be served by Bighorn-Desert View Water Agency without the need for a mainline extension. On-site wastewater treatment systems must be approved by the County Environmental Health Services based on the requirements of the Colorado River Basin Region of the Regional Water Quality Control Board. All the above are mandatory requirements and are not considered mitigation measures.
- IX b) **Less Than Significant Impact.** The Project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. The Bighorn-Desert View Water Agency issued a will serve letter for this parcel and has indicated that there is currently sufficient capacity in the existing water system to serve the anticipated needs of this Project.
- IX c) **Less Than Significant Impact.** The Project will not substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site, because the Project does not propose any substantial alteration to a drainage pattern, stream or river. The Project is required to submit and implement a Water Quality Management Plan and a Storm Water Pollution Prevention Plan as discussed previously.
- IX d) **Less Than Significant Impact.** The Project proposes the use of bioswales to provide storm water treatment and detention of any change in volume and flow rate. The Project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site, because the Project does not propose any substantial alteration to a drainage pattern, stream, or river. County Public Works has reviewed and approved the proposed Project drainage. All necessary drainage improvements both on and off site have been required as conditions of the construction of the Project. Review of detailed plans prior to construction is a mandatory requirement and not considered a mitigation measure.
- IX e) **Less Than Significant Impact.** Because of the Project design, implementation of the Water Quality Management Plan and Storm Water Pollution Prevention Plan requirements, and the lack of change to the drainage pattern, the Project will not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. County Public Works has reviewed the proposed Project drainage and has determined that the proposed

systems are adequate to handle anticipated flows. All necessary drainage improvements both on- and off-site will be required as conditions of the construction of the Project. There will be adequate capacity in the local and regional drainage systems so that downstream properties are not negatively impacted by any increases or changes in volume, velocity or direction of stormwater flows originating from or altered by the Project. Adherence with the requirements of the Drainage Study and the Best Management Practices (BMPs) outlined in the Preliminary WQMP will be part of the conditions of approval.

- IX f) **Less Than Significant Impact.** The Project will not otherwise substantially degrade water quality, because appropriate measures relating to water quality protection, including erosion control measures have been included in the Project design. As stated in IX a) and IX e) above, adherence with the requirements in the SWPPP and the BMPs contained in the Preliminary WQMP are required.
- IX g) **Less Than Significant Impact.** According to County Public Works, the Project site is located within Flood Zone D according to FEMA Panel Number 8105H dated August 28, 2008. This is not a 100-year flood hazard area. The Project is a retail store and does not include any housing; no housing will be placed within a 100-year flood hazard area.
- IX h) **Less Than Significant Impact.** The Project will not place structures within a 100-year flood hazard area that would impede or redirect flood flows, because the site is not within an identified FEMA designated flood hazard area. (See IX g, above)
- IX i) **No Impact.** The Project site is not within any locally identified Flood Plain, so will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.
- IX j) **No Impact.** The Project will not be impacted by inundation by seiche, tsunami, or mudflow, because the Project is not adjacent to any body of water that has the potential of seiche or tsunami nor is the Project site in the path of any potential mudflow

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
X. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION

- X a) **Less Than Significant Impact.** The Project will not physically divide an established community because the Project is a logical and orderly extension of the planned land uses and development that are established within the surrounding area. The proposed development conforms to the Special Development – Commercial focus (SD-Com) Land Use Zoning District, which allows the retail use proposed. The parcel is approximately 2.5 acres and is adjacent to SD-Com zoning on all sides. Furthermore, the Project site is adjacent to State Highway 247, a major highway.
- X b) **Less Than Significant Impact.** The current General Plan land use designation for the proposed Project area is Homestead Valley Community Plan, Special Development – Commercial Focus (HV/SD8Com), a zoning district which provides for a combination of residential, commercial, industrial, agricultural, open space and recreation uses, and similar and compatible uses. The proposed Project is consistent with the Special Development General Plan land use designation. In connection with the development of the Homestead Valley Community Plan (HVCP), residents expressed concern about the lack of local commercial uses due to the remote nature of the Homestead Valley area. The proposed Project will add to the availability of commercial activity. With respect to the community character, the public identified the need for commercial development, such as the proposed Project, that serves the needs of local residents.

The proposed Project has been designed to retain the existing rural desert character of the community and enhance commercial development within the plan area while protecting the rural character of the community and meeting the needs of local residents. (HVCP, Goals HV/LU 1 and 2). The proposed Project is a stand-alone retail store as opposed to "strip commercial development" which is to be avoided along SR-247. In addition, the proposed Project is consistent with the HVCP's goal to support commercial development that is of a size and scale that complements the natural setting, is compatible with surrounding development, and enhances the rural character. The proposed Project is 9,100 square feet, occupies approximately ten percent of the site, and includes an abundance of landscaped areas. In addition, to ensure that the proposed development is an aesthetic enhancement to the area, the conditions of approval include the requirement that the applicant submit exterior architectural elevations of the proposed development for review and approval by the Planning Division prior to issuance of building permits. The proposed Project is in the immediate vicinity of other commercial uses including Hero Market which operates a deli, a full-menu restaurant, a convenience store, and a gasoline station. A small-scale retail store such as the proposed Project is compatible with the surrounding development. (HVCP, Goal HV/ED 1).

The analysis contained in this Initial Study Checklist addresses the potential conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect. Based on this analysis, the Project is consistent with all applicable land use policies and regulations of the County Code, the General Plan, and the HVCP.

- X c) **No Impact.** The Project is subject to and in conformance with the California Desert Conservation Area Plan (West Mojave Plan). As discussed in the Biological Resources section of this Initial Study Checklist, with implementation of the mitigation measures no impacts to biological resources were identified. Therefore, the Project's activities will be in compliance with the West Mojave Plan, which covers 9.3 million acres in the western portion of the Mojave Desert.

Therefore, no significant adverse impacts are identified or anticipated with adherence to mitigation measures contained in the biological resources section.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
XI. MINERAL RESOURCES - Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION (Check ☒ if project is located within the Mineral Resource Zone Overlay):

- XI a) **Less Than Significant Impact.** The Project site is located within the MRZ-4 Mineral Resource Zone. There are no known mineral resources that would result in the loss of availability at this time. The Project is consistent with the land use district, surrounding, and adjacent properties. No mining has been, or is, occurring on site.
- XI b) **Less Than Significant Impact.** The Project will not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan, because there are no identified locally important mineral resources on the Project site.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
XII. NOISE - Would the project:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION (Check if the project is located in the Noise Hazard Overlay District ☐ or is subject to severe noise levels according to the General Plan Noise Element ☐):

- XII a) **Less Than Significant Impact.** Noise sensitive land uses shall include residential uses, schools, hospitals, nursing homes, religious institutions, libraries, and similar uses. The proposed retail store is not a sensitive receptor to noise. The Project is required to maintain noise levels at or below County Standards identified in Development Code Section 83.01.080. This is a mandatory requirement and not considered a mitigation measure.
- XII b) **Less Than Significant Impact.** At 9,100 square feet on a 2.5-acre parcel, the Project is a relatively small development. As such, grading and construction activities will use comparatively fewer and smaller pieces of equipment that would cause less groundborne noise and vibration. Because of this smaller size, the Project will not expose persons to or generate excessive groundborne vibration or groundborne noise associated with truck deliveries. Additionally, the Project is required to maintain vibration and groundborne noise levels at or below standards identified in the County Development Code, Section 83.01.090. This is a mandatory requirement and not considered a mitigation measure.
- XII c) **Less Than Significant Impact.** The Project, which is in the Special Development – Commercial focus district of the Homestead Valley, will not generate a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the Project. Typical noise generated by a similar currently proposed 9,100 square foot retail store in Joshua Tree, which was calculated using Exttech Integrating Sound Level Datalogger Model 407780, is shown in the table below.

TYPICAL NOISE GENERATION FOR SIMILAR PROJECT

Noise Source	Distance from Source	Noise Level (Leg dBA)
Rooftop Ventilation System	5-feet	80.8
Delivery Truck	10-feet	65.5

To determine the potential impacts of the noise sources on sensitive receptors (a residential structure is located approximately 300 feet west of the proposed building), the noise levels were calculated for attenuation over distances of 50, 100, and 200 feet from the noise source. These assume that the line of sight to the noise source is unobstructed.

POTENTIAL NOISE IMPACTS

Receptor Distance from Noise Source	Rooftop Ventilation System	Delivery Truck
50-feet	41.6 dBA	41.1 dBA
100-feet	45.0 dBA	35.0 dBA
200-feet	29.5 dBA	29.0 dBA
County Standards	55 dBA 7:00 am to 10:00pm and 45 dBA from 10:00 pm to 7:00 am.	55 dBA 7:00 am to 10:00pm and 45 dBA from 10:00 pm to 7:00 am.
Exceeds Standards?	NO	NO

The Project is required to comply with the noise standards of the County Development Code and no noise exceeding these standards is anticipated to be generated by the Project.

- XII d) **Less Than Significant Impact.** During construction of the Project, noise generated may increase the existing ambient noise levels periodically. Once completed, the Project will not generate a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project. Adherence with the noise standards of the County Development Code is a condition of approval. Construction noise between 7:00am and 7:00pm, with no construction permitted on Sundays and federal holidays, is exempt from the County Noise Standards. Temporary noise impacts will be less than significant.
- XII e) **No Impact.** As mentioned in the Hazards and Hazardous Materials Section of this document, the Yucca Valley Airport, the nearest public airport, is approximately 7.5 miles southeast of the Project site. The site is not within the approach/departure flight path of this public airport so will not expose persons to excessive noise levels associated with aircraft operations.
- XII f) **No Impact.** The Landers Airport, the nearest private airport, is approximately 3.8 miles northeast of the Project site. The site is not within the vicinity or approach/departure flight path of this private airstrip so will not expose persons to excessive noise levels associated with aircraft operations.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
XIII. POPULATION AND HOUSING - Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION

- XIII a) **Less Than Significant Impact.** The Project will not induce substantial population growth in the area either directly (it does not propose housing) or indirectly (it does not create a significant number of new jobs). The Project will serve the existing population in the area and the traveling public along State Highway 247. Jobs and employment opportunities created would most likely be absorbed by the employment needs of the existing residents of the area.
- XIII b) **No Impact.** The proposed use will not displace substantial numbers of existing housing units, necessitating the construction of replacement housing because no housing units are proposed to be demolished as a result of this proposal. The site is currently vacant.
- XIII c) **No Impact.** The proposed use will not displace substantial numbers of people necessitating the construction of replacement housing elsewhere because the Project will not displace any existing housing or existing residents. The site is currently vacant.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

XIV. PUBLIC SERVICES

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION

- XIV a) **Less Than Significant Impact.** The proposed Project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services, including fire and police protection, schools, parks or other public facilities.

The Project is a small general retail development, a 9,100-square foot structure on 2.5 acres. It is located in a mixed use area of the Homestead Valley and does not induce new growth by extending infrastructure or locating a development in an outlying undeveloped area.

As discussed in the Population and Housing section of this document, the Project does not result in a substantial population growth; it will not create a need for new governmental facilities. Construction of the Project will increase property tax revenues to provide a source of funding to meet anticipated demands for public services. San Bernardino County provides Fire and Sheriff services to the community and will continue to provide them. The traveling public will not impact governmental facilities. The Project will not have a significant impact on the maintenance of acceptable service ratios, response times, or other performance objectives for any of the public services listed above.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
XV. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION

- XV a) **No Impact.** This Project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. The Project will not generate any new residential units and the impacts generated by the employees of this Project will be minimal. Its purpose is to serve the needs of the existing residents of the area and persons traveling throughout the Homestead Valley and the Flamingo Heights community.
- XV b) **No Impact.** This Project does not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment because the type of proposal will not result in an increased demand for recreational facilities. Impacts are considered less than significant.

Therefore, no impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC - Would the project:				
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION

On April 15, 2013, Kunzman Associates, Inc. prepared a technical memorandum for the Project. In response to County Traffic and Caltrans comments, Kunzman Associates, Inc. prepared an updated technical memorandum for the Project on September 11, 2013. On September 20, 2013, Kunzman Associates, Inc. prepared a response to comments letter to address additional comments from Caltrans.

- XVI a) **Less Than Significant Impact.** The proposed Project is outside the boundary of any Local Area Transportation Fee Plan Area. The technical memorandums determined the daily traffic, morning peak hour inbound and outbound traffic, and evening peak hour inbound and outbound traffic for the proposed land use. The proposed development is projected to generate approximately 583 daily vehicle trips, including 35 during the morning peak hour and 62 during the evening peak hour. The response to comments letter included a statement that the intersection of Cedarbird Road and State Highway 247 is projected to operate at a Level of Service (LOS) B for the opening year, 2015. The proposed Project will include improvements to State Highway 247 and Cedarbird Road where adjacent to the Project site.
- XVI b) **Less Than Significant Impact.** The Project will not exceed, either individually or cumulatively, a LOS standard established by the county congestion management agency for designated roads or highways, because County

Public Works – Traffic Division has reviewed the traffic generation of the proposed Project. The County standard is Level of Service (LOS) C, while the Caltrans standard is LOS D. Based on the information provided in the technical memorandums prepared by Kunzman Associates, Inc., both County Traffic and Caltrans anticipate that traffic service will remain at or above the required LOS.

- XVI c) **No Impact.** The Project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. There are several small airports in the vicinity of the Project, but there is no anticipated notable impact on air traffic volumes by passengers or freight generated by the proposed use. No new air traffic facilities are proposed.
- XVI d) **Less Than Significant Impact.** The Project will not substantially increase hazards due to a design feature or incompatible uses, because the Project site is adjacent to an established road that is accessed at points with good site distance and properly controlled intersections. The Project is a retail use proposed to be in a mixed use area of the Flamingo Heights community of the Homestead Valley. There are no incompatible uses proposed by the Project that will impact surrounding land uses.
- XVI e) **Less Than Significant Impact.** The Project will not result in inadequate emergency access, because the site is adjacent to State Highway 247.
- XVI f) **Less Than Significant Impact.** The Project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. This Project will have no impact on alternative methods of transportation. The Morongo Basin Transit Authority provides bus transportation to Homestead Valley via Route 21. The closest bus stop is at Hero's Market, approximately 700 feet south of the proposed Project. The proposed Project will not decrease the performance of this alternative method of transportation in the community.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS - Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION

- XVII a) **Less Than Significant Impact.** The proposed Project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board, *Colorado River Basin* Region, as determined by County Public Health – Environmental Health Services. The proposed commercial development must meet the wastewater treatment requirements of the Colorado River Basin Region. This is a mandatory requirement and not a mitigation measure.
- XVII b) **Less Than Significant Impact.** The proposed Project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. The proposed commercial development must meet the water service connection requirements provided by the Bighorn-Desert View Water Agency. The water agency provided a will serve letter, which indicated that a water meter can be installed for this Project without need for a mainline extension. The Project proposes an on-site wastewater treatment system (OWTS) to dispose of effluent. The County Environmental Health Services requires submittal and approval of a percolation report in order to use OWTS.
- XVII c) **Less Than Significant Impact.** The proposed Project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities that cause significant environmental effects. As stated in the Hydrology and Water Quality Section of this document, the proposed Project will not increase storm flow rates from the site. It will not create any additional impacts on downstream storm drain facilities that will necessitate expansion of existing facilities or construction of new facilities.

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- XVII d) **Less Than Significant Impact.** The proposed Project will have sufficient water supplies available to serve the Project from existing entitlements and resources. The Bighorn-Desert View Water Agency has given assurance that it has adequate water service capacity to serve the projected demand for the Project, in addition to the provider's existing commitments.
- XVII e) **Less Than Significant Impact.** The County's Division of Environmental Health Services (DEHS) will approve and oversee the proposed OWTS. Septic system pumpers must be approved by DEHS. Septage, the waste or sewage in a septic tank, is accepted at the Landers Regional Landfill, which is approximately 4 miles northeast of the site.
- XVII f) **Less Than Significant Impact.** The Landers Sanitary Landfill will serve the solid waste needs of the Project. According to the CalRecycle webpage, this landfill has sufficient remaining capacity to accommodate 765,098 cubic yards of solid waste. The estimated closure date is 2018. There is adequate capacity to accommodate the Project's solid waste disposal needs.
- XVII g) **Less Than Significant Impact.** The proposed Project is required to comply with federal, state, and local statutes and regulations related to solid waste, construction waste diversion, and recycling.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION

- XVIII a) **Less Than Significant Impact.** The Project does not appear to have the potential to significantly degrade the overall quality of the region's environment or substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. There are no identified historic or prehistoric resources identified on this site. AMEC Environment & Infrastructure, Inc. conducted a *General Biological Resources Assessment* for the property in February 2013. Although no special status species were observed, the site contains Joshua Trees and Mojave Yuccas, which are protected by County ordinance. The Assessment recommends in situ preservation and/or on-site transplantation of these plants. Additionally, the site contains habitat for several special status species. The Assessment recommends focused Burrowing Owl and Desert Tortoise surveys prior to land disturbance. Furthermore, the Assessment recommends pre-construction nesting bird surveys if construction activities occur during nesting bird season. Adherence with these recommendations are mitigation measures BIO-1 and BIO-2, which will be incorporated into the conditions of approval for the proposed Project to reduce any potential impacts to a level less than significant.
- XVIII b) **Less Than Significant Impact.** The analysis in this Initial Study Checklist demonstrates that the Project is in compliance with all applicable regional plans including but not limited to water quality control plan, air quality maintenance plan, and greenhouse gas emissions reduction plan. Compliance with these plans serves to reduce impacts on a regional basis so that the Project will not produce impacts, that when considered with the effects of other past, present, and probable future projects, will be cumulatively considerable.
- XVIII c) **Less Than Significant Impact.** As discussed in this Initial Study Checklist, the Project will not expose persons to adverse impacts related to Air Quality, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Cultural Resources, or Traffic. These impacts are identified as having no impacts or less than significant impacts. Adherence with the

following mitigation measures will reduce potential impacts to a level less than significant. At a minimum, the Project will be required to meet the conditions of approval in order for the Project to be implemented. It is anticipated that all such conditions of approval will further insure that no potential for adverse impacts will be introduced by construction activities, or land uses authorized by the Project approval.

Therefore, no significant adverse impacts are identified or anticipated with the implementation of mitigation measures BIO-1 and BIO-2.

XIX. MITIGATION MEASURES

(Any mitigation measures, which are not 'self-monitoring', shall have a Mitigation Monitoring and Reporting Program prepared and adopted at time of project approval)

BIO-1: Prior to land disturbance, the applicant shall hire a qualified professional to conduct a pre-land disturbance and/or pre-construction focused Desert Tortoise survey and a focused Burrowing Owl survey. These surveys shall be submitted to County Land Use Services, Planning Division, California Department of Fish and Wildlife, and US Fish and Wildlife Service for review and approval. Adherence with any recommended mitigation measures is required.

BIO-2: In compliance with the Migratory Bird Treaty Act, if construction activities occur during nesting bird season, the applicant shall hire a qualified professional to conduct pre-construction nesting bird surveys. This survey shall be submitted to County Land Use Services, Planning Division for review and approval.

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